

**BEFORE : MRS. KAVITA Y. AMBEKAR ,  
COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR  
Date: 5<sup>th</sup> December, 2025**

**CALLED FOR HEARING :**

16 TP/4788/2025 (E-filing)

Mr. Uttam Rane a/w. Bhakti Rane, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Jayesh Gulabbhai Mehta being one of the Executors named under the Will of deceased. The deceased namely Subodh Shantilal Barodia died at Mumbai on 02.09.2008. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Pan Card is annexed to the petition.
2. The deceased left behind his last Will and Testament which was duly executed at Mumbai on 23.08.2008. The said Will is in English language. The Para No. 1 of the Will refers to the appointment of Executors. Only two Executors appointed under the Will. Petitioner is one of the executor and another executor namely Sameer Surendrabhai Shah has renounced his rights to act as Executor and Affidavit dated 21.07.2025 is filed to that effect. Residuary clause in respect of properties of deceased is mentioned at para No. 3 of the Will.
3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Wife of deceased since deceased the deceased. Deceased was survived by two daughters who have given their consents in favour of the petitioner herein. Consent Affidavits are on record. There are no other legal heirs.
4. Petitioner's oath is filed. As per para No. 4 of the petition both the original Attesting Witnesses to the Will are expired hence, petitioner has filed Affidavit of Mahendra Ganpat Bendre dated 11.08.2025 and the same is accepted under Rule 384 of the Bombay High Court (Original Side) Rules, 1980. Affidavit of Service of General Citation dated 16.10.2025 is filed. Delay is explained and the same is condoned. All other legal formalities are complied with. Hence, petition is granted.
5. Office to issue Probate as prayed after verifying whether any cross petition is filed or whether any caveat is filed.

**05.12.2025**

**COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR**